**HON'BLE SRI JUSTICE V.V.S.RAO**

**WRIT PETITION No.24072 of 2006**

**Dated:20.11.2006**

Between:

Chitapalli Anantha Laxmi and others.

…Petitioner

and

The Mandal Revenue Officer and another.

…Respondents

**HON'BLE SRI JUSTICE V.V.S.RAO**

**WRIT PETITION No.24072 of 2006**

**ORDER:**

The petitioners herein along with 160 others allegedly occupied land admeasuring Acs.4.56 cents in Survey No.178/A situated at Lalacheruvu Village of Rajahmundry Urban Mandal, allegedly thirty five years ago. When steps were taken to evict them allegedly by the respondents, they filed W.P.No.14673 of 2003. This Court disposed of the same on 23.07.2003 directing the respondents therein to issue notice to the petitioners under the provisions of the Andhra Pradesh Land Encroachment Act, 1905, consider the objections, and pass appropriate orders. Accordingly, the Mandal Revenue Officer, the first respondent herein, issued notice to the petitioners on 12.05.2006. The petitioners – at least some of them; filed explanations. Therefore, so as to take up a Housing Scheme for provision of constructed houses in G+1 or G+2 or G+3, the Mandal Revenue Officer passed orders on 26.09.2006 ordering eviction of the petitioners. Aggrieved by the same, the petitioners submitted an appeal to the Revenue Divisional Officer, Rajahmundry, on 11.10.2006, and also moved an application for stay of the orders of the Mandal Revenue Officer. As the same is pending without there being any order thereon, the present Writ Petition is filed.

Though the learned Counsel for the petitioners made elaborate

submissions, having regard to the fact that an appeal is still pending, this Court is not inclined to go into the matter. The Revenue Divisional Officer/Sub-Collector shall consider the appeal and pass appropriate orders within a period of one week from the date of receipt of a copy of this order, after giving opportunity to the petitioners or their representatives.

The Writ Petition, with the above observations and directions, is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

20.11.2006

Note: Issue C.C in three days.

B/o.

vs